

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MARYANN BUTLER and AUDURY PETIE DAVIS,

Plaintiffs,

v.

NEW AMERICAN FUNDING (a/k/a Broker Solutions, Inc.),

Defendant.

Civil Action No. 1:25-cv-690-PJC

FILED
HARRISBURG, PA

JUL 14 2025

PER 
DEPUTY CLERK

**VERIFIED CURATIVE COMPLAINT FOR REINSTATEMENT OF STRICKEN
FILINGS**

Plaintiffs Maryann Butler and Audury Petie Davis, by and through this Verified Curative Complaint, respectfully submit the following to cure the procedural standing issue referenced in the Court's July 11, 2025 Order and to reinstate all previously stricken docket filings for judicial consideration:

AVERMENTS

1. Plaintiff Maryann Butler is a natural person residing at 1823 State Street, Harrisburg, Pennsylvania, 17103.
2. Co-plaintiff Audury Petie Davis is her authorized legal representative and real party in interest, now joined as a named co-plaintiff to cure the prior procedural deficiency under Fed. R. Civ. P. 17.
3. On July 11, 2025, the Court entered an Order striking Docket Entries 3, 5, 7–10, 12, 15, 18, 20–23, 25–26, 28–29, 32–33, and 35–36, citing lack of standing for Mr. Davis to file documents on behalf of Ms. Butler. The Court did so without prejudice and allowed a 30-day window to cure the issue.
4. Plaintiffs now jointly submit this Verified Curative Complaint, listing both Maryann Butler and Audury Petie Davis as co-plaintiffs, thereby curing any standing deficiency and

bringing the complaint into full procedural compliance.

5. Plaintiffs further request reinstatement of the complete record previously submitted, which includes substantial factual documentation, exhibits, affidavits, MP3 voicemail evidence, and other filings crucial to the adjudication of this matter.
6. Defendant New American Funding has been on notice of all prior filings and has had ample opportunity to review the facts and respond. The Court directed Defendant to file a response to the original Complaint within 30 days.
7. The judicial record previously built by Plaintiffs reflects prima facie evidence of loan misconduct, regulatory violations, and third-party harm connected to an FHA loan process involving the subject property.
8. The Court has already reviewed the now-stricken filings and exhibits, and this Curative Complaint seeks only to re-authorize their inclusion for the purpose of fair and efficient judicial review.
9. Plaintiffs are not requesting new relief at this time, nor do they seek to revive previously filed motions unless ordered by the Court or necessitated by future defense actions.
10. These filings include but are not limited to all previously submitted exhibits, sworn declarations, MP3 voicemail evidence, judicial notices, and verified pleadings that collectively establish the prima facie record of misconduct and harm by Defendant.
11. Plaintiffs respectfully request that the Court reinstate the entire factual record previously struck without prejudice (Docs. 3, 5, 7–10, 12, 15, 18, 20–23, 25–26, 28–29, 32–33, 35–36), solely for purposes of judicial consideration and efficient adjudication.
12. For judicial economy, Plaintiffs expressly waive all previously filed motions and discovery demands, including but not limited to motions for sanctions, default judgment, depositions, or emergency hearings. Plaintiffs seek only the restoration of the factual record and a ruling on the corrected Complaint.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that the Court:

1. Accept this Verified Curative Complaint as a procedural cure for standing under Rule 17;

2. Reinstate all filings previously stricken by the Court's July 11, 2025 Order (Docs. 3, 5, 7-10, 12, 15, 18, 20-23, 25-26, 28-29, 32-33, 35-36);
3. Allow the case to proceed based on the corrected parties and full factual record;
4. Grant such other and further relief as the Court deems just and proper.

VERIFICATION

I, Audury Petie Davis, hereby verify under penalty of perjury under the laws of the United States that the foregoing facts and statements in this Verified Curative Complaint are true and correct to the best of my knowledge, information, and belief.

Date: July 14, 2025

Respectfully submitted,

/s/ Audury Petie Davis



Audury Petie Davis

2041 Greenwood Street

Harrisburg, PA 17104

717-424-8220

mfmallah87@icloud.com

Plaintiff, pro se

CERTIFICATE OF SERVICE

I certify that on July 14, 2025, I served a true and correct copy of the foregoing Verified Curative Complaint on the following party via email:

James McNally, Esq.

Cohen Seglias Pallas Greenhall & Furman PC

jmcnally@cohenseglias.com

Attorney for Defendant New American Funding

/s/ Audury Petie Davis

Audury Petie Davis

A handwritten signature in black ink, appearing to be 'AP' followed by a stylized flourish.

COVER SHEET FOR CURATIVE FILINGS – REQUEST FOR DOCKETING AND JUDICIAL REVIEW

(WITH NEW EXHIBIT 5: NMLS LICENSING VOID)

To: Clerk of Court

From: Audury Petie Davis, Co-Plaintiff and Real Party in Interest

Date: July 14, 2025

Re: Curative Filings to Reinstate Record Pursuant to Judge Caraballo's July 11, 2025 Order

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HARRISBURG, PA

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PER 
DEPUTY CLERK

Dear Clerk,

Please find the following three (3) filings submitted for immediate docketing and judicial review:

1. Verified Curative Complaint (listing both Maryann Butler and Audury Petie Davis as Co-Plaintiffs to cure standing)
2. Emergency Judicial Notice of Imminent Third-Party Harm and Request for Three-Day Response Order
3. Declaration of Maryann Butler in Support of Standing and Record Reinstatement

These filings are submitted in direct response to the Court's July 11, 2025 Order, which struck prior filings solely on standing grounds without prejudice. Plaintiffs respectfully request:

- That the record now be deemed procedurally cured;
- That all previously stricken docket entries (Docs. 3, 5, 7–10, 12, 15, 18, 20–23, 25–26, 28–29, 32–33, 35–36), including Exhibits A through Z and all attached evidence, be fully reinstated for judicial review and adjudication;
- That a new Exhibit 5 is hereby added to the record: a screenshot from the NMLS Consumer Access website showing that Enrico Arvielo is not listed as a licensed individual, despite his executive control and registration filings for Broker Solutions Inc. (d/b/a New American Funding).

Exhibit 5 is submitted in good faith as relevant to Plaintiffs' claims of regulatory concealment, E&O liability exposure, and ongoing third-party legal harm. No other exhibits are reattached, as all previous materials were already submitted and are incorporated by reference.

These materials are respectfully presented to facilitate continued proceedings and prevent further harm due to unresolved legal and financial threats tied to the pending record.

Thank you for your assistance.

Sincerely,

/s/ Audury Petie Davis

A handwritten signature in black ink, appearing to read 'Audury Petie Davis', written over a horizontal line.

Co-Plaintiff and Authorized Representative

2041 Greenwood Street

Harrisburg, PA 17104

Phone: (717) 424-8220

Email: mfmallah87@icloud.com